

**WINNE, BANTA, HETHERINGTON,  
BASRALIAN & KAHN, P.C.**

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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
JOHN FEANE, an individual; and  
ANN MARIE FEANE, an individual,

Case No. 7:08-cv-06482 (SCR)

Plaintiffs,

v.

**NOTICE OF PENDING SETTLEMENT**

PHILLIPS & COHEN ASSOCIATES, LTD.,  
ADAM S. COHEN, MATTHEW M.  
PHILLIPS and JOHN AND JANE DOES  
NUMBERS 1 THROUGH 25, SAID  
PERSONS BEING NAMED HEREIN AS  
THE PERSONS WHO ALSO CONTROL  
THE POLICIES AND PRACTICES  
INVOKED BY PHILLIPS & COHEN  
ASSOCIATES, LTD.,

Defendants.

-----X  
  
Defendants, Phillips & Cohen Associates, Ltd., Adam S. Cohen, and Matthew M. Phillips, through counsel, hereby submit this Notice of Pending Settlement and state that the parties have reached a verbal settlement with regard to this case and are presently drafting, finalizing, and executing the settlement and dismissal documents. Upon execution of the same, the parties will file the appropriate dismissal documents with the Court.

WHEREFORE, Defendants request that this Court stay all pending deadlines 30 days to allow the parties time to file the dismissal.

Dated: Hackensack, New Jersey  
September 4, 2008

Respectfully submitted,

**WINNE, BANTA, HETHERINGTON,  
BASRALIAN & KAHN, P.C.**  
Attorneys for Defendants,

By: s/ Michael J. Cohen  
Michael J. Cohen

Of counsel:

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed electronically and served upon counsel for the plaintiff, Robert Louis Arleo, 225 East 79<sup>th</sup> Street, 2B, New York, New York 10021 via the Court's CM/ECF electronic filing and case management system.

Dated: Hackensack, New Jersey  
September 4, 2008

s/ Michael J. Cohen  
Michael J. Cohen